

Appl No. 09/964,999
Amdt. dated 03/17/2005
Reply to Office Action of 12/17/2004

REMARKS

Claims 1 - 20 are pending in the present Application. In the above-identified Office Action, the Examiner rejected the independent claims (i.e., Claims 1, 6, 11 and 16) under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter of the invention. Claims 1 - 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson, II, et al. in view of Dev et al.

Applicants have amended the Specification to include the Serial Nos. of all Related Applications. In response to the 112 rejections, Applicants have amended the independent claims (i.e., Claims 1, 6, 11 and 16). Some of the dependent claims (Claims 2, 3, 7, 12, 13, 15 and 17 - 20) have also been amended to better claim the invention.

Before proceeding further, Applicants' attorney would like to greatly thank the Examiner for the interview of March 17, 2005. In that interview, Applicants' attorney agreed with the Examiner that the independent claims were too open-ended and agreed to further narrow the claims. Consequently, the independent claims have all been amended to specifically state that the command is **ONLY** dispatched to the systems that are determined to be accessible.

For the reasons stated more fully below, Applicants submit that the currently- amended claims are allowable over the applied references. Hence, reconsideration, allowance and passage to issue are respectfully requested.

As stated in the SPECIFICATION, in today's environment, a network may consist of different computer

AUS920010901US1

Page 8 of 13

Appl. No. 09/964,999
Amdt. dated 03/17/2005
Reply to Office Action of 12/17/2004

systems running under different operating systems and using different software management utilities. A system administrator typically adds and configures new computer systems, sets up user accounts, installs system-wide software, allocates mass storage space etc. In short, the system administrator ensures that the network is operational and is running at its optimum. To perform this task, the system administrator periodically runs tests and executes management commands on the various systems in the network. When running these tests, it is very conceivable that errors may occur. To minimize these errors, therefore, it would be convenient not to run commands on systems that are not operable. The present invention ensures that remote commands are only sent to operable systems for execution.

In accordance with the teachings of the invention, when a command, to be executed on remote computer systems, is entered in a local command interface, a check is automatically made to determine each of the computer systems accessibility. The command may then be sent only to the computer systems that have been determined to be accessible.

The invention is set forth in claims of varying scopes of which Claim 1 reproduced on the next page is illustrative.

AUS920010901US1

Page 9 of 13

Appl No. 09/964,999
Amdt. dated 03/17/2005
Reply to Office Action of 12/17/2004

1. A method of executing remote commands on remote computer systems comprising the steps of:
 1. entering a remote command in a local command interface, said command to be executed by said computer systems;
 2. automatically determining each of said computer systems accessibility; and
 3. dispatching said command only to the computer systems that are determined to be accessible.(Emphasis added.)

The Examiner admitted that Johnson, II et al. fail to teach the step of automatically determining each of the computer systems accessibility. Nonetheless, the Examiner rejected the claims. In support for the rejection, the Examiner stated that Dev et al. teach the step of polling network entities for monitoring the status of the entities. Therefore, the Examiner reasoned, it would have been obvious for one of ordinary skill in the art to modify the teachings of Johnson II, et al. to arrive at the claimed invention. Applicants respectfully disagree for the following reasons.

The Examiner asserted that Johnson, II et al. disclose the step of dispatching the command to the network systems that are determined to be accessible. As the Examiner correctly pointed out, Johnson, II et al. do not teach the step of automatically determining the accessibility of managed computer systems. Since Johnson, II et al. do not teach this step, they would not disclose the step of dispatching commands **only** to computer systems that are accessible. Thus, Applicants submit that Johnson, II et

AUS920010901US1

Page 10 of 13

Appl. No. 09/964,999
Amdt. dated 03/17/2005
Reply to Office Action of 12/17/2004

al. do not teach the step of dispatching a command **ONLY** to the computer systems that are determined to be accessible.

Secondly, the Examiner asserted that Dev et al. teach the step of polling network entities for monitoring the status of the entities. Although Dev et al. do purport to disclose a method of polling network devices for monitoring the status of the devices, they do not teach, show or so much as suggest the step of **automatically determining computer systems accessibility** and **dispatching a command only to the computer systems that are determined to be accessible** as claimed.

Therefore, if one were to combine the teachings of Johnson, II et al. with those of Dev et al., the combination would not include the steps of **automatically determining computer systems accessibility** and **dispatching a command only to the computer systems that are determined to be accessible** since neither reference teaches that step.

However, even if Dev et al. did suggest the step of automatically determining devices accessibility in order to send commands to those devices that are accessible, there would not be any reason for someone skilled in the art to combine the teachings of Johnson, II et al. with those of Dev et al. to arrive at the invention.

Johnson, II et al. purport to teach a system and method for evaluating the operation of a computer over a computer network. In so doing, Johnson, II et al. disclose a scheme that permits a user, such as a network administrator, to remotely initiate and control diagnostics of a node of a networked system. That is, Johnson, II et al. disclose a system in which a user may select a

AUS92001090IUS1

Page 11 of 13

Appl. No. 09/964,999
Amdt. dated 03/17/2005
Reply to Office Action of 12/17/2004

diagnostic routine that is to be executed. This diagnostic routine may instruct a managed node to collect configuration or other data and relay the data back to the diagnostic control, which may then be reported to the user. The data may indicate whether a malfunctioning application on the node, such as a print server, is "pingable" (see column 7, lines 15 - 34).

Thus, Johnson, II et al. specifically teach that the node of the managed system is to be contacted to retrieve diagnostic information. Indeed, it should be noted that Johnson, II et al., as the Examiner AGAIN correctly pointed out, twice specifically mentioned that some devices may be "pinged" or polled. But, Johnson, II et al. never once mentioned that non-responsive "pinged" or polled devices should not be contacted.

In view of the fact that Johnson, II et al. specifically teach that devices of a managed system are to be contacted to retrieve diagnostic information and never mentioned that non-responsive "pinged" or polled devices are not to be contacted where there were occasions to do so in the disclosure, the teachings of Johnson, II et al. cannot be combined with those of Dev et al., which in this case, would teach the step of **automatically determining computer systems accessibility and dispatching a command only to the computer systems that are determined to be accessible.**

Therefore, Applicants submit that Claim 1, as well as its dependent claims, should be allowable. Independent Claims 6, 11 and 16, which all incorporate the above-emboldened-italicized limitations in the above-reproduced

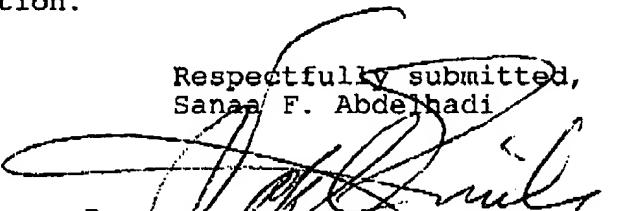
AUS920010901US1

Page 12 of 13

Appl. No. 09/964,999
Amdt. dated 03/17/2005
Reply to Office Action of 12/17/2004

claim 1, together with their dependent claims should also be allowable. Hence, Applicants once more respectfully request reconsideration, allowance and passage to issue of the claims in the application.

Respectfully submitted,
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AUS920010901US1

Page 13 of 13